

From: "Alan Roth" <[redacted]> on 09/13/2004 07:46:22 PM

Subject: Study on Credit Bureaus Handling of Disputes

My experience is that the banks are not respecting disputes that are difficult for them to resolve. They simply ignore the dispute and the lower courts allow this to happen. The consumer is judged guilty until proven innocent. I lost a case to Discover Bank in Maryland in which the dispute was never given credence. When I brought up the federal Fair Credit Billing Act, there was no acknowledgment of it by the judge. State law prevailed over federal law. When I appealed this to the State Appeals Court, they saw no justification for the appeal. Somehow the federal law is being ignored at the state level and it is appalling. Preemption of federal law over state law doesn't exist at the state level. I will have to bring suit in federal court.

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